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In re Application of	:	
MCCONNELL , et al.	:	
Application No. 09/832,718	:	DECISION ON PETITION
Filed: April 11, 2001	:	UNDER 37 CFR 1.137(b)
Attorney Docket No. 069035.00001	:	

This is a decision on the petition under 37 CFR 1.137 (b) filed January 10, 2005 and resubmitted July 16, 2007, to revive the above-identified application.

The petition under 37 CFR 1.137 (b) is **GRANTED**.

This application became abandoned as a result of petitioner's failure to file a complete and proper appeal brief within the time period provided in 37 CFR 41.37(a)(1). As a complete and proper appeal brief was not filed within one (1) month of the Notification of Non-Compliance with 37 CFR 41.37(c)(1), mailed November 26, 2004, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. *See* 37 CFR 1.197(b). As no claim was allowed, the application became abandoned on December 26, 2004. *See* MPEP 1215.04.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an appeal brief/appeal fee; (2) the petition fee of \$750; and (3) an adequate statement of unintentional delay.

The application is being referred to Technology Center Art Unit 2623 for consideration of the appeal brief filed July 16, 2007.

Telephone inquiries concerning this decision should be directed to Monica A. Graves at (571) 272-7253.

Brian W. Brown
Petitions Examiner
Office of Petitions